

DANIEL BOGDEN  
 United States Attorney  
 333 Las Vegas Boulevard South  
 Suite 5000  
 Las Vegas, Nevada 89101

VIRGINIA CRONAN LOWE  
 Trial Attorney, Tax Division  
 U.S. Department of Justice  
 P.O. Box 683  
 Ben Franklin Station  
 Washington, D.C. 20044-0683  
 Telephone: (202) 307-6484

Attorneys for the United States of America

IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF NEVADA

In re:	)	
	)	BK-S-09-14814-LBR
THE RHODES COMPANIES, LLC, aka	)	Chapter 11
Rhodes Homes, et al.,	)	
	)	Hearing Date: December 17, 2009
Debtors.	)	Time: 9:30 a.m.

UNITED STATES' RESPONSE TO DEBTORS' SECOND OMNIBUS OBJECTION TO IRS CLAIMS

The debtors have filed a Second Omnibus Objection to IRS claims in this matter. As set forth below, the United States is in the process of obtaining additional information from the Internal Revenue Service (IRS) to either resolve the claim or define the issue which should be presented to the Court at an evidentiary hearing. The United States sets forth the following with regard to each claim:

1. With regard to the objection to Claim No. 1, as amended filed in Case No. 09-14818 against Apache Framing, LLC in the amount of \$74,475.36, the debtor submitted amended employment tax returns to the IRS on November 3, 2009. The IRS is in the process of reviewing the amended returns.

2. With regard to the objection to Claim No. 7, filed in Case No. 09-14825 against Bravo, Inc., the United States has provided the debtor with information with regard to the employment tax liabilities set forth on the proof of claim and is in the process of obtaining additional information with regard to this claim.

3. With regard to Claim No. 1, as amended, filed in Case No. 09-14822 against Gung-Ho Concrete

1 LLC in the amount of \$399.96, the IRS informed the debtor that a penalty was assessed against it because  
2 the Forms W2 and W3 did not match and requested that the debtor provide additional information with  
3 regard to this issue.

4 4. With regard to Claim No. 23, as amended, filed in Case No. 09-14846 against Rhodes Design and  
5 Development Corporation in the amount of \$5,338.80, the claim at issue is a penalty due to a late federal  
6 employment tax deposit. The IRS recently retrieved the employment tax return with regard to this penalty  
7 and will be providing the debtor more information with regard to the calculation of this penalty shortly.

8 5. With regard to Claim No. 10, as amended, filed in Case No. 09-14814 against the Rhodes  
9 Companies, LLC in the amount of \$51.17, the claim at issue is a penalty associated with a federal  
10 employment tax deposit. The IRS recently retrieved the employment tax return with regard to this penalty  
11 and will be providing the debtor more information with regard to the calculation of this penalty shortly.

12 WHEREFORE, as set forth above, the United States is continuing to obtain additional information  
13 from the IRS with regard to each of these claims and therefore, requests that this hearing be used as a  
14 scheduling conference to set these matters for an evidentiary hearing.

15 Dated this 10<sup>th</sup> day of December, 2009.

16 DANIEL BOGDEN  
17 United States Attorney

18 /s/ Virginia Cronan Lowe  
19 VIRGINIA CRONAN LOWE  
20 Trial Attorney, Tax Division  
21 U.S. Department of Justice  
22 Post Office Box 683  
23 Ben Franklin Station  
24 Washington, D.C. 20044  
25 Telephone: (202) 307-6484  
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CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that service of the foregoing UNITED STATES' RESPONSE TO DEBTORS' SECOND OMNIBUS OBJECTION TO IRS CLAIMS has been made this 10<sup>th</sup> day of December, 2009, by ECF filing addressed to:

Shirley S. Cho, Esq. at [scho@pszjlaw.com](mailto:scho@pszjlaw.com)

Zachariah Larson, Esq. at [ecf@lslawnv.com](mailto:ecf@lslawnv.com)

Edward M. McDonald, Esq. at [edward.m.mcdonald@usdoj.gov](mailto:edward.m.mcdonald@usdoj.gov)

/s/ Virginia Cronan Lowe  
VIRGINIA CRONAN LOWE  
Trial Attorney, Tax Division  
U.S. Department of Justice